

presumed to be responsible, but if he or she fails to show up, is guilty of a Class III misdemeanor or a crime. That is unconstitutional.

PRESIDENT MOUL: Time. Thank you, Senator Chambers. Does...Senator Chambers.

SENATOR CHAMBERS: Yes, Madam President, I'm trying to get in what I want to say on this motion by Senator Kristensen. If you look at Section 29-404 which talks about criminal complaints and what they must contain, you will see that the person accused has to have his or her name in the complaint and this is the language that you see. It shall be the duty of such magistrate to issue a warrant for the arrest of the person accused if he shall have reasonable grounds to believe that the offense charged has been committed. The prosecuting attorney shall consent to the filing of such complaint if he is in possession of sufficient evidence to warrant the belief that the person named as defendant in such complaint is guilty of the crime alleged and can be convicted thereof. If there is no necessity under LB 632 that a person's name even appear on the citation, how is the prosecutor going to issue a complaint naming a defendant? Senator Kristensen, do you want to give an answer?

SENATOR KRISTENSEN: I don't want to gobble up your time and if you need to I'll give you a little bit so you can get it in there, but what I would assume you do is that whoever the owner of the vehicle is, and that's easy to obtain, that's who would then be charged, correct?

SENATOR CHAMBERS: You mean based on the bill, yes, based on 632.

SENATOR KRISTENSEN: Yes, that's how you would get the name of the person to cite.

SENATOR CHAMBERS: So then in addition to having these civilians do this, there may be some bureaucracy involved in even determining who is to be charged.

SENATOR KRISTENSEN: I assume it would be like any other criminal complaint. It may take some investigation to find out who the proper defendant would be, yes.

SENATOR CHAMBERS: Do you think there would be a cost associated